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ABSTRACT

In 1995, the Texas Legislature mandated the formation of Juvenile Justice Alternative Education Programs (JJAEPs) to serve adjudicated youth in counties with a population of 125,000 or more. Some less-populated counties formed their own JJAEPs. This paper presents a comparison of these voluntary programs to the mandated programs. Of the 22 mandated programs, 15 responded to a survey. A total of 18 units of the voluntary programs likewise responded. The programs are organized so that 93% of respondents in populous counties reported that the independent school districts (ISDs) and the juvenile board are working together. Responsibility for selecting and hiring teachers varied--the more populous counties assigning these jobs to a private vendor or to one of the ISDs, whereas less populous counties preferred the ISDs and the county working together to select and hire teachers. Training methods also varied across counties. All the counties employed behavior modification programs, with many of them using boot camps. Drug and alcohol counseling is frequently provided. Financial support for all JJAEPs has proven problematic and great variation in arranging financial support was evident. Other details of the programs are reported. (RJM)

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CONTINUED EDUCATIONAL SERVICES TO EXPELLED STUDENTS IN TEXAS: A COMPARISON OF VOLUNTARY AND MANDATED JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAMS

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ABSTRACT

CONTINUED EDUCATIONAL SERVICES TO EXPELLED STUDENTS IN TEXAS: A COMPARISON OF VOLUNTARY AND MANDATED JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAMS

The Texas Legislature mandated the formation of Juvenile Justice Alternative Education Programs (JJAEPs) to serve adjudicated youths in counties with a population of 125,000 or more starting in September, 1996. Some less well populated counties formed JJAEPs also. A comparison of survey results from Texas juvenile probation officers in counties mandated to form a Juvenile Justice Alternative Education Program serving adjudicated youth and in those counties who have a voluntary program show some significant differences as well as some major similarities. Partners in the collaborative efforts, services beyond basic education, financial arrangements, and evaluation criteria are compared and discussed.

CONTINUED EDUCATIONAL SERVICES TO EXPELLED STUDENTS IN TEXAS: A COMPARISON OF VOLUNTARY AND MANDATED JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAMS

HISTORY AND PURPOSE

In 1995 the Texas Education Code was revised to require school districts and juvenile justice agencies in counties with populations greater than 125,000 to provide educational services to students expelled from school. The intent was to separate dangerous students from others and not allow students "... to fall out of the education system without being transferred to the appropriate authorities," (Ratliff, 1995). This shared effort was initiated in the fall of 1996.

A recent survey of all chief probation officers in the state has provided a status report of existing Juvenile Justice Alternative Education Programs-- whether formed because of the new S.B. 1 mandate or in response to need. Fifteen of the 22 mandated JJAEPs completed a twenty-one question survey mailed out at the end of September, 1996. Eighteen units serving expelled and/or adjudicated students in counties with a population less than 125,000 responded to the survey. Another 125 juvenile probation units did not return the survey.

An analysis of the twenty-two counties with populations greater than 125,000, reveals that two hundred and fifty independent school districts were joined with juvenile justice agencies to serve adjudicated students and youths who have been charged with a felony and/or are identified as serious and persistent misbehavior problems, and/or expelled.

In Snapshots '95 (Texas Education Agency, 1996, p.30) eight community types of school districts are identified. Each community type is defined as follows:

* **Major Urban:** The largest school districts in the state which serve the seven metropolitan areas of Houston, Dallas, San Antonio, Fort Worth, Austin, Corpus Christi, and El Paso;

* **Major Suburban:** Other school districts in and around the major urban areas;

* **Other Central City:** The major school districts in other large Texas cities;

* **Other Central City Suburban:** Other school districts in and around the other large, but not major, Texas cities;

* **Independent Town:** The largest school districts in counties with populations of 25,000 to 100,000;

* **Non-Metro: Fast Growing:** The school districts that fail to be in any of the above categories and that exhibit a five year growth rate of at least 20 percent. These districts must have at least 300 students in membership;

* **Non-Metro: Stable:** The school districts that fail to be in any of the above categories yet the number of students in membership exceeds the state median; and

* **Rural:** The school districts that fail all of the above tests for placement into a category. These districts either have a growth rate less than 20 percent and the number of students in membership is between 300 and the state median, or the number of students in membership is less than 300.

The number of each type of district involved with a JJAEP and the percentage of that group are listed below :

Enrollment Groupings by District Type	JJAEP Participation by Number	by Percentage
Major Urban	9*/9**	100.0
Major Suburban	64/65	98.4
Other Central City	21/25	84.0
Other Central City Suburban	55/80	68.8
Independent Town	0/74	0.0
Non-Metro Fast Growing	34/98	34.7
Non-Metro Stable	31/235	13.0
Rural	31/459	6.8

* Number of districts in this category with JJAEP participation/** total number of districts in this category in the state.

As might be expected, larger percentages by type are in the upper half of the chart. Only 6.8% of all rural districts (as previously defined) are part of mandated JJAEPs. One item of particular note is that no independent towns were included in initiating a JJAEP.

Districts are also sorted by size (TEA, p. 32) An analysis of districts by size and JJAEP participation shows the following information.

Enrollment Groupings for Districts	JJAEP Participation by Number	by Percentage
over 50,000	9*/9**	100.0
25,000 - 49,999	22/23	95.7
10,000 - 24,999	38/44	86.4
5,000 - 9,999	37/68	54.4
3,000 - 4,999	28/78	35.9
1,600 - 2,999	33/137	24.1
1,000 - 1,599	17/118	14.4
500 - 999	34/204	16.7
under 500	31/365	8.4

* Number of districts in this category with JJAEP participation/** total number of districts in this category in the state

As in the previous chart, school districts with larger enrollments had a greater percentage of participation.

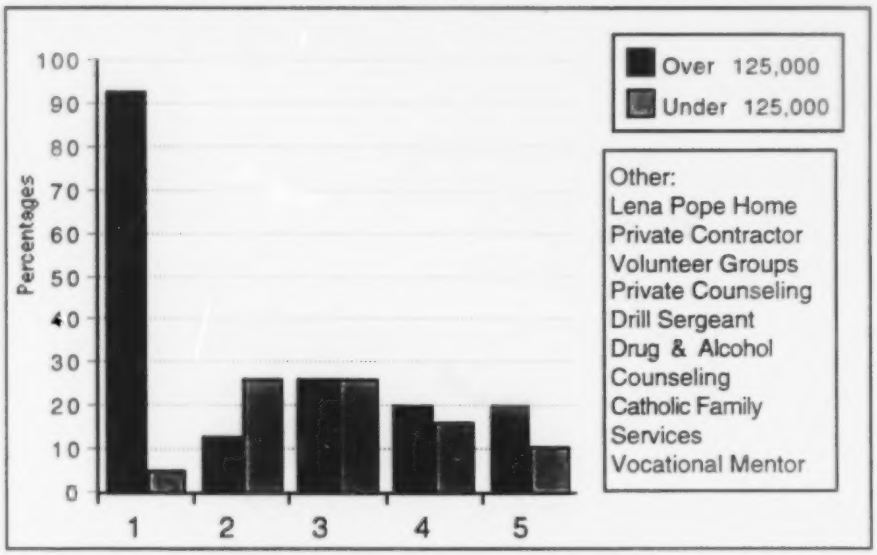
CURRENT STATUS

The recent survey provides the current status of JJAEPs statewide in organization and in operations. Responses from the mandated units, JJAEPs in counties with a population of 125,000 or more, are compared to responses from the voluntary units, JJAEPs in counties with a population of less than 125,000, seen in the charts and graphs seen in succeeding pages.

ORGANIZATION

The mandate in Senate Bill 1, Section 37, (1996) forces independent school districts (ISDs) and Juvenile Justice Boards (JJB) in counties with populations over 125,000 to cooperate in serving adjudicated and/or expelled students. Ninety-three percent of the respondents in these more populous counties indicate that the independent school districts and the juvenile board are working together. In addition, regional service centers and other county agencies are sometimes involved. Social service agencies other than the ISDs and the JJB assist in serving expelled students more often in the less populated counties where most services have been provided voluntarily in response to need. These agencies are Mental Health and Mental Retardation (MHMR) offices, the Department of Human Services (DHS), the Council on Alcohol and Drug Abuse and other county agencies.

Which of the following will be cooperating to serve expelled students?



1. All independent school districts in the county and the JJ Board
2. Social service agencies such as MHMR, DHS
3. Regional education service center(s)
4. County agencies (other than J.J. Board)
5. Other

The development of the ISD student code of conduct primarily involved the JJ Board and the ISDs. JJAEPs adopted the ISD's disciplinary code of conduct in a majority of cases.

Responsibility for selection and hiring of teachers varies. The more populous county units tend to prefer assigning these jobs to a private vendor or to one of the ISDs which also serves as a designated fiscal agent. Less populous county units preferred the ISDs and the county working together to select and hire teachers.

Teachers in most JJAEPs in counties over 125,000 have received some training in preparation for work in this new environment. Teachers in the less populous counties have had less opportunity for such staff development.

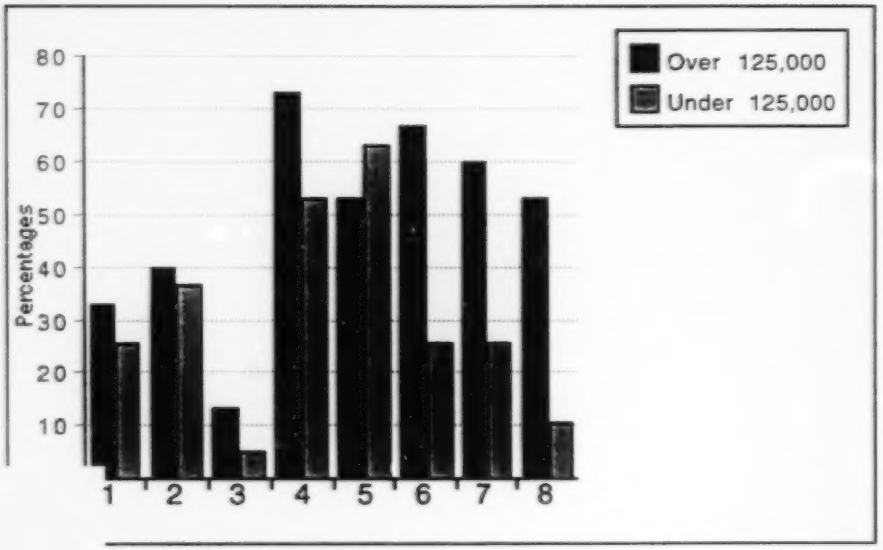
Training currently perceived to be useful includes the Boys' Town model for social skills, how to deal with a resistant client, general information about the juvenile justice and court systems and the penal code, cultural diversity, music therapy, alternative schools in general, social skills, physical restraint of an individual, working with special education students-- particularly the emotionally disturbed, counseling skills, vocational education, conflict resolution including non-violent physical crisis prevention and intervention, the Family Code, cardiopulmonary resuscitation (CPR), first aid, life skills, dysfunctional families, a second language, behavior/discipline management, how to work with high risk youth, the effects of poverty, verbal judo, and reality therapy.

Similar kinds of training were recommended for the future in counties both large and small.

In addition to meeting basic academic needs, alternative education programs in all counties employ behavior modification programs. Many include boot camps. Drug and alcohol counseling is frequently provided together with career and vocational counseling. In counties over 125,000, food service and transportation are provided more often than in the counties under 125,000. One residential unit is available in the less populated counties and two are available in the mandated JJAEPs.

8.

In addition to basic academic educational needs, which of the following services are being provided under the auspices of the JJAEP?



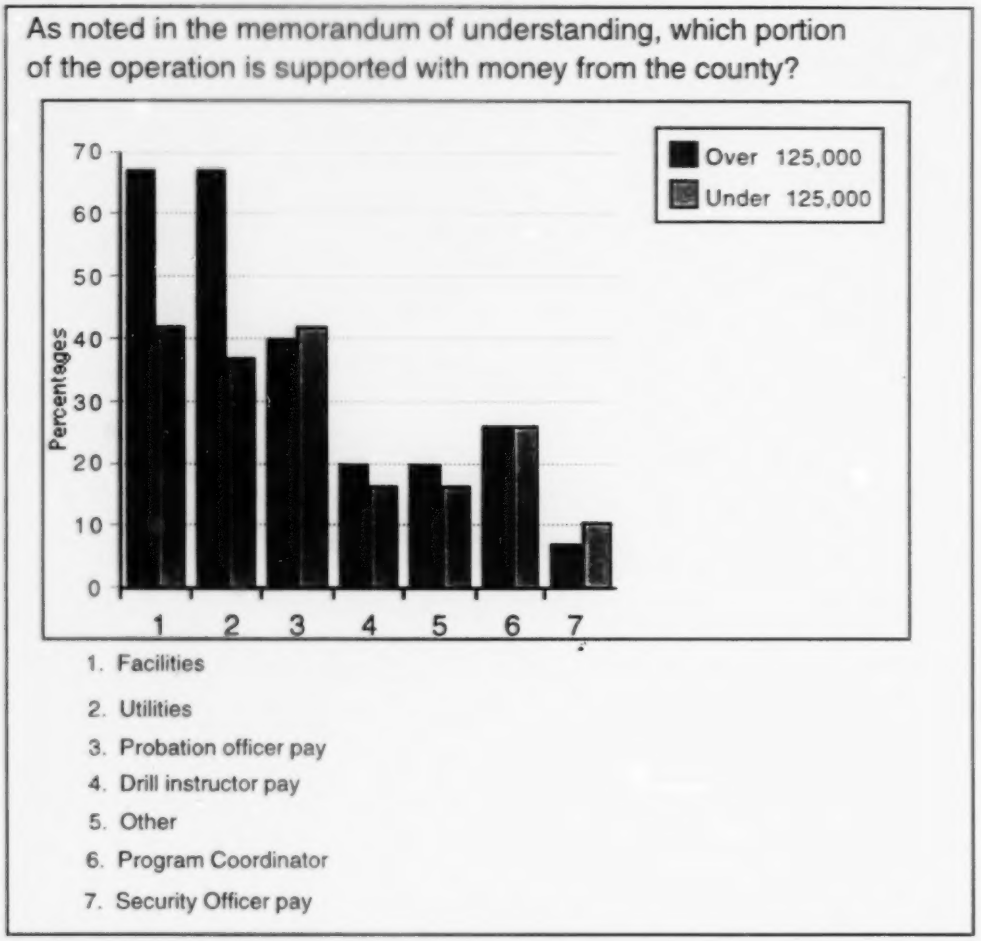
1. Boot camp to reduce disruptive behavior
2. Other behavior modification programs
3. Residential care and facilities
4. Drug and alcohol counseling
5. Career/vocational counseling
6. Food services
7. Transportation
8. Other

Future plans include adding residential care, and additional behavior modification programs. Units in the larger counties have proposed a summer program, community service and ROPES courses. The smaller counties proposed adding a GED program and a college preparation program.

Many JJAEPs had no security officers. JJAEPs in counties of 125,000 and higher are using more security officers than those units in counties of less than 125,000. Interestingly, in some JJAEPs in counties of less than 125,000 teachers were probation officers.

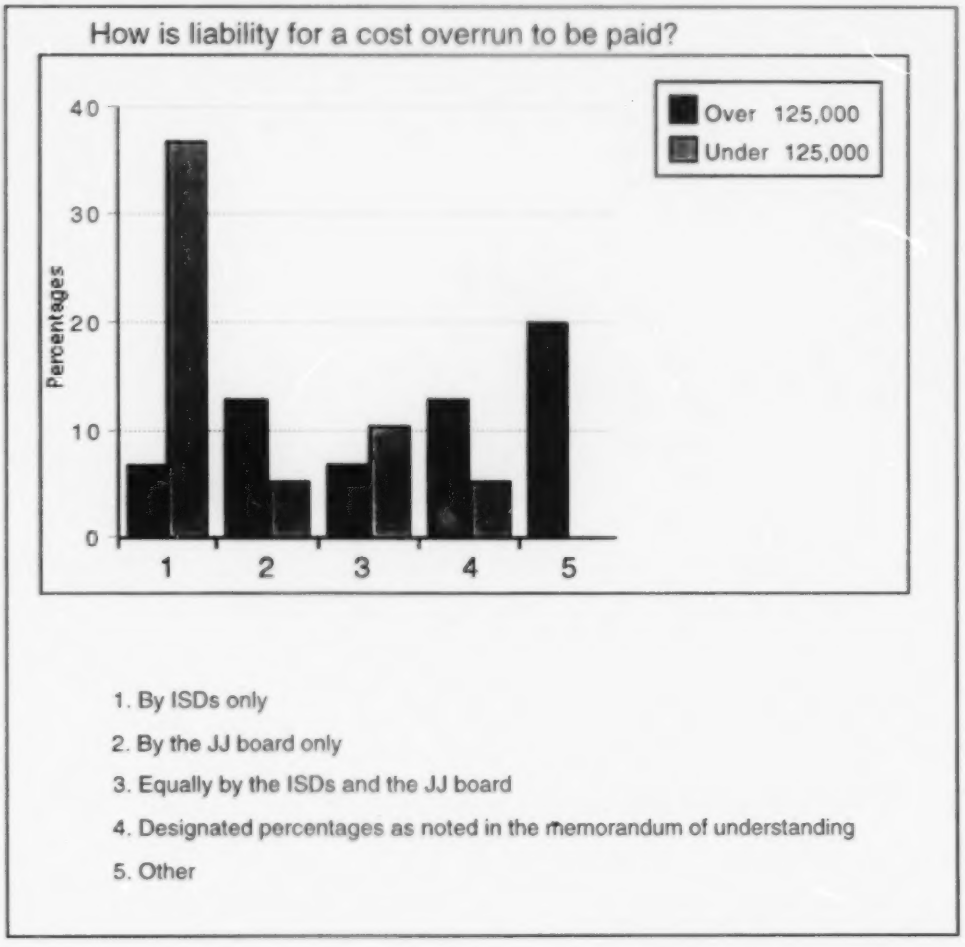
OPERATION OF JJAEPs.

Financial support of the all JJAEPs has been a major hurdle. Superintendents of schools will readily tell you that this is an unfunded mandate from the legislature. Working agreements across the state show great variation in arranging financial support. In counties of 125,000 or more costs for facilities and utilities are often borne by the county. In all cases, personnel costs are most often borne by the school district(s). In counties under 125,000, more facility and utility costs are paid by the school districts.



Liability for cost overruns was not considered by many collaboratives so that this promises to be an issue soon to be addressed by many new units in counties of all sizes. Those counties that

have considered this question have produced a variety of answers. In counties over 125,000, the ISDs or the JJB bear cost overruns or an agreement for equal sharing of the costs exists between these two entities. Alternatively, designated percentages as noted in the memorandum of understanding or a private vendor may pay cost overruns. The same solutions are present in the less populous counties except that no vendors are involved.

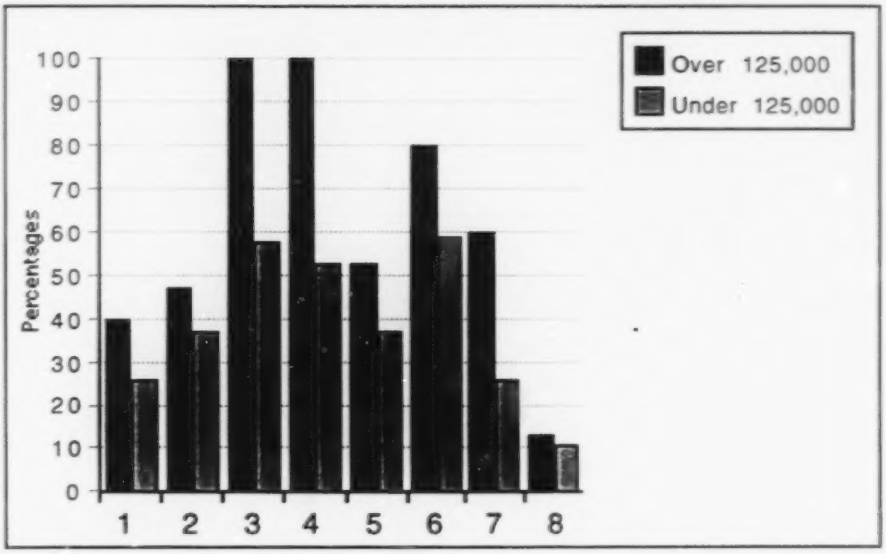


For many counties, regardless of size, the maximum range for number of students that can be accommodated at any one time both in counties over and under 125,000 was 25-100. Less populated counties indicated a second choice with the range from 1-25 students. However, some of the larger counties are able to serve well over 100 students at a time.

The average expenditure per pupil per day ranges from $20 to $89 in counties over 125,000. In the less populous counties the range varied from $20 to $49.

Evaluation of these alternative education programs is based on several factors. Most frequently cited in all counties were improved academic performance, continuation of law-abiding behavior, and attendance. Other factors are noted on the graphs.

Which factors will be used in the evaluation of the program?



1. Reduction of weapon-related offenses
2. Reduction in the number of assaults on campus
3. Improved academic performance as seen in grade point average
4. Continuation of law-abiding behavior
5. Fewer detainable offenses committed on campuses where the program is located
6. Attendance
7. TAAS
8. Other

CONCLUSION

As school districts and juvenile boards gain experience with this new partnership, changes are certain to be made. Legislators have already been receiving calls concerning the financial impact on school districts in particular. Other concerns voiced in the comments section of the survey reflected messages similar to these quoted here.

"[We] need to consider youth who may be expelled and not qualify for JJAEP. There are some "gaps" which need to be addressed in the next session of the legislature."

"We do not have a JJAEP... There are many problems. Students in the AEP **are not** getting a decent education."

The concerns are not limited by size. Certainly the intent of the legislation to assist all students, expelled or not, has been partially addressed. The next legislative session which starts in January, 1997 will likely address several issues relating to JJAEPs and possibly service to expelled students in the less populous counties as well.

References

Snapshot '95: 1994-95 School District Profiles; Texas Education Agency, Winter, 1996.

Ratliff, William. Memo to members of the Legislature, July, 1995.